

REMARKS/ARGUMENTS

The office action of August 24, 2004 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1-6, 8-14, 19-26, 28 and 30-34 remain in this application. Claims 7, 15-18, 27 and 29 have been canceled without prejudice or disclaimer.

Applicants have amended the specification to correct various minor informalities discovered therein. No new matter has been added.

The abstract of the disclosure stands objected to for improper language. The Abstract has been amended herein and a new Abstract is annexed hereto.

Claims 1-9, 11-13, 15-19 and 31-33 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent no. 6,487,590 to Foley et al. (“Foley”). Claims 10 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Foley in view of U.S. patent no. 6,665,731 to Kumar et al. (“Kumar”). Claims 14 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Foley in view of U.S. patent no. 6,546,419 to Humpleman et al. (“Humbleman”). Applicants respectfully traverse these rejections.

As amended, claim 1 calls for, among other features, the event manager having a client time stamp indicating when the client last queried the event manager for property change information and when polled by the client, the event manager providing the client with an update of any changes to the properties to which the client has subscribed. Claim 1 has been amended to incorporate the features of now canceled dependent claim 7.

The action alleged that Foley shows all the features of claim 7. To show the feature of the event manager having a client time stamp indicating when the client last queried the event manager for property change information, the action pointed to col. 2, lines 55-59 of Foley and stated “only changes are sent, so the time of last update must be known”. In essence, the action purports that Foley inherently suggests maintaining a client time stamp indicating when the client last queried the event manager for property change information. To establish that inherency, it must be shown that the feature is necessarily present; mere possibilities are not sufficient. In addition to show the feature that when polled by the client, the event manager provides the client with an update of any changes to the properties to which the client has

subscribed, the action relies again on col. 2, lines 55-59 as well as col. 3, lines 35-40. Applicants respectfully submit that Foley neither teaches nor suggests, expressly or inherently, that the event manager has a client time stamp indicating when the client last queried the event manager for property change information and when polled by the client, the event manager provides the client with an update of any changes to the properties to which the client has subscribed.

According to Foley at col. 2, lines 56-59, “client applications register for network element information they wish to track and after an initial set of data only receive incremental updates (deltas) when there are changes.” Foley centralizes polling of attributes for each network element in an object server 25 (Fig. 1). Thus, the object server, and not any client application, periodically polls each attribute which one or more clients has requested to be monitored. Foley, col. 2, lines 60-64. Foley describes a series of status type services in which the managed object configuration information may be provided to the client. See Foley, col. 5, line 38 to col. 7, line 10. Notably, none of the status services use, teach or otherwise suggest that the object server or any other element has a client time stamp indicating when the client last queried for property change information as called for in claim 1. Indeed, Foley provides an automated technique to keep up on attribute changes where the client application registers with the object server once and, for each registered attribute, can receive real time status updates or notification of events, alarms or configuration changes. More particularly, in the Foley scheme the client application makes a single request up front for current status and configuration information about selected attributes and requests notification of changes via callback. Thus, the object server does not care and need not know when the client last queried the event manager for property change information. In other implementations such as viewConfig (col. 5, lines 41-44), the client application can obtain the current EMS view of the managed object configuration for a specified network element instance. Importantly, neither the object server nor any other element needs, maintains or much less cares when the client application previously last queried for property change information. With Foley, if a client desires to be updated when the status of particular attributes of managed objects change, the client can register for notification of changes via callback without having to make a request for an updated view of attribute status. In contrast, the claim 1 invention provides a system in which a client can request property status information

when desired, rather than on a predetermined basis as provided in Foley. To avoid receiving status information on all properties being monitored when polled by the client, the event manager in the claim 1 invention has a client time stamp indicating when the client last queried the event manager for property change information. As such, according to the claim 1 invention the event manager, when polled by the client, provides the client with an update of any changes to the properties to which the client has subscribed.

In view of the above, applicants submit that Foley fails to teach or suggest the event manager having a client time stamp indicating when the client last queried the event manager for property change information and when polled by the client, the event manager providing the client with an update of any changes to the properties to which the client has subscribed as recited in claim 1. Neither Kumar nor Humbleman overcome these deficiencies. For at least this reason, claim 1 is patentably distinct from the art of record.

Claims 2-6 and 8-14, which ultimately depend from claim 1, are patentably distinct from the cited art for the same reasons as claim 1, and further in view of the additional advantageous features recited therein. For example, claim 9 calls for, among other features, the event manager having computer-executable instructions for performing the steps of: (i) receiving a request from a client for status information regarding at least one property of a device *wherein the request provides the client time stamp indicating when the client last queried the event manager for property change information*; (ii) *comparing the client time stamp with a time stamp corresponding to when the property that the client requests last changed value*; and (iii) *if the client time stamp is earlier than the time stamp corresponding to when the property that the client requests last changed value, providing the property value information to the client*. Foley is wholly devoid of a teaching or suggestion of the italicized features found in claim 9.

Claim 19 is directed to a method for providing a client information about at least one device, wherein the device and the client are part of a networked management system. The method includes, among other features, storing, in the central memory, a property time stamp corresponding to the change information indicating when the property of the device changed and receiving a request for status information from a client regarding the property, wherein the client has a client time stamp that is earlier than the property time stamp. As ostensibly discussed with

respect to claim 1, Foley neither teaches nor suggests receiving a request for status information from a client regarding the property, wherein the client has a client time stamp. For at least this reason, claim 19 and claim 20, which depends from claim 19, are patentably distinct from the applied art.

Claim 21 calls for, among other features, an event manager having computer-executable instructions for performing the steps of: (i) receiving a request from a client for status information regarding at least one property of a device wherein the request provides a client time stamp indicating when the client last queried the event manager for property change information; (ii) comparing the client time stamp information with the time stamp corresponding to when the property that the client requests last changed value; and (iii) if the client time stamp is earlier than the time stamp corresponding to when the property that the client requests last changed value, providing the property value information to the client. As discussed with respect to claims 1 and 9 above, neither Foley nor any of the other cited art alone or in combination provides a teaching or suggestion of receiving a request from a client for status information regarding at least one property of a device *wherein the request provides a client time stamp indicating when the client last queried the event manager for property change information*. It necessarily follows that the cited art lacks a teaching or suggestion of comparing the client time stamp information with the time stamp corresponding to when the property that the client requests last changed value; and if the client time stamp is earlier than the time stamp corresponding to when the property that the client requests last changed value, providing the property value information to the client. For at least the foregoing reasons, claim 21 and claims 22-26, 28 and 20-34, which ultimately depend from claim 21, are patentably distinct from the cited art.

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

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All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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